

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 3106 OF 2016

M/s.Axis Realty Private Limited	.. Petitioner
Vs.	
The Municipal Corporation of Greater Mumbai and ors.	.. Respondents

Mr.P. P. Surve, for the Petitioner.
Ms.Vandana Mahadik, for BMC.

**CORAM : NARESH H. PATIL AND
M.S.KARNIK, JJ.**

19th DECEMBER, 2016

P.C. :

. The petitioner prays for direction to respondents to consider the representations annexed at Exhibits 'F' & 'G' to the Petition. On the Corporation's initiation, summons was issued to the petitioner by the Presidency Magistrate Court, Metropolitan Magistrate, 41st Court, Shindewadi, Dadar for answering a case under Section 353 A/471 of the Mumbai Municipal Corporation Act. The case was registered in 2014.

2. Learned Counsel submits that accordingly, they appeared before the Magistrate and have completed the necessary formalities. It is submitted that in case, the representation submitted by the petitioner with the Corporation are answered, then proceedings pending before the Magistrate could be disposed of as the petitioner have made out a good case by giving explanation to the Corporation in their representation.

3. Learned Counsel appearing for the Corporation submits that the petitioner is at liberty to present the said material before the Magistrate. The Corporation would deal with the same in the proceedings pending before the Metropolitan Magistrate.

4. In view of the aforesaid statements and keeping all issues on merits open, Writ Petition is disposed of.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)